

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 15-182 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

William Ike Libby, Jr.,

Defendant.

This matter is before the Court upon Defendant William Ike Libby, Jr.'s ("Defendant") objections (Doc. No. 85) to Magistrate Judge Leo I. Brisbois's Report and Recommendation ("R & R") (Doc. No. 74) insofar as it recommends that:

(1) Defendant's Motion to Suppress Statements be denied as set forth in the R & R and
(2) Defendant's Motion to Suppress Unlawful Search and Seizure be denied as set forth in the R & R. The Government filed a response to Defendant's objections on March 8, 2016. (Doc. No. 91.)

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b), the Court has conducted a *de novo* review of the record, including Special Agent William Bennet's affidavit in support of the tracking warrant application and the testimony and exhibits pertaining to Investigator Daniel Skoog's interviews of Defendant. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Defendant's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Defendant William Ike Libby, Jr.'s objections (Doc. No. [85]) to Magistrate Judge Leo I. Brisbois's February 11, 2016 Report and Recommendation are **OVERRULED**.

2. Magistrate Judge Leo I. Brisbois's February 11, 2016 Report and Recommendation (Doc. No. [74]) is **ADOPTED**.

3. Defendant's Motion to Suppress Statements (Doc. No. [52]) is **DENIED**.

4. Defendant's Motion to Suppress Unlawful Search and Seizure (Doc. No. [53]) is **DENIED**.

Dated: March 11, 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge